

## REMARKS

Reconsideration and further examination of the subject patent application in view of the RCE submitted herewith and in view of the present Amendment and the following Remarks is respectfully requested. Claims 1-26 are currently pending in the application. Claims 1, 12, and 16 have been rejected under 35 U.S.C. §112, first paragraph and second paragraph as being indefinite. Claims 1-26 have been rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Pat. No. 6,970,915 to Partovi et al. ("Partovi") in view of U.S. P at. No. 6,587,556 to Judkins et al. ("Judkins"). Claims 1, 8, 12, and 16 have been amended for clarification. After careful review of the claims and references, it is believed that all the claims are in allowable form and a Notice of Allowance is therefore respectfully requested.

Claims 1, 12, and 16 have been rejected as being indefinite. Claim 1 was rejected because of an extra comma which has been removed by amendment. Claim 1 and 17 were also rejected because it was unclear whether the server processed requests from the administrator or the administrator requests operational information from the server. Claims 1 and 12 have been amended to clarify that the server processes requests from the administrator. Claim 16 was also rejected as being unclear, and has been clarified by amendment. Thus, these claims are now believed to be clear and in allowable form.

Claims 1-26 have been rejected as obvious over Partovi in view of Judkins. The independent claims 1, 12, and 16 concern an administrator responsible for management of the call center including management of the plurality of agents or configuring and monitoring call center entities, and to providing the operational information about management of the call center to the administrator. An administrator of the call center is defined in the specification as a person

who is “responsible for the management of the call center” (p. 5, lines 13-19). Information about the call center is described on p. 5, lines 20-26, and in the table on page 6 of the patent specification; and by examples such as at page 12, lines 16-19 of the specification. Thus, independent claims 1, 12 and 16 clearly require providing operational information about the call center management including agent management to the administrator. Claims 10, 12, and 20 also recite learning a pattern of regularly used commands to automatically provide regularly requested information.

In contrast to the agent based call center of independent claims 1, 12, and 16, Partovi is directed to providing streaming content to general public callers. A system like Partovi would not allow its customers to have access to administrator management data. The Office Action cites Fig. 5, element 512 as showing a voice response server providing operational information but this just shows a “present content” step 512 in a flow diagram for providing personalized content not management operational information. The cited portion of Partovi at Col. 5, lines 15-30 merely describes that the system may adapt its voice character, and make purchase suggestions, but does not describe providing operational information to administrators about the call center management (voice character/dialect information is not provided to the caller, it is used by the system) nor does it discuss providing any information to an administrator. Similarly at Col. 15, lines 30-45, Partovi merely describes the customer ability to specify topics to be played to that specific customer, but call center management information is not provided. Partovi streams general knowledge information to callers instead of providing operational information about management of the call center including management of agents or configuring and monitoring call center entities. Partovi does not disclose, or provide operational information

about call center management as claimed. The Office Action appears to interpret customers as administrators but users of Partovi are clearly not administrators as that term is defined in the specification and claims or as understood by those skilled in the art. Nor do they perform the management functions required by the claims.

Claim 1, 12, and 16 are also limited to providing information about the call center management to the “administrator responsible for management of the call center.” In contrast and as demonstrated above, Partovi fails to provide any teaching or suggestion of connecting to or providing information to “an administrator responsible for management of the call center.” The term “administrator” is well defined in the specification (P. 5, lines 13-19) and claims, referring to one who is “responsible for management of the call center including management of the plurality of agents” which clearly excludes the customers of the information streaming system of Partovi. The cited portions of Partovi at Col. 4, lines 26-40 and Col. 15, lines 6-17 describes only the customer content selection, and customer profiles and personalization for that specific customer, not access by an administrator who manages the call center. Such limited control of personal selections can in no way constitute management of the call center, including agent and entity management. In fact, the Partovi system isn’t even a call center and has no agents, it is a system for providing streaming content to customers automatically over the telephone and thus doesn’t require the complex management required by a call center. Thus, Partovi’s streaming content system is an entirely different type of system than that claimed. It doesn’t present the same management issues, does not have agents, and describes only customers calling for non-management information.

The Office Action concedes that Partovi does not disclose that users are administrators

responsible for management of the call center but cites Judkins as teaching administrators configuring and monitoring call center entities. Judkins describes a call center including supervisor software that allows management to manage the call center using a PC workstation (Col. 7, lines 57 to Col. 8, line 2). However, Judkins does not describe a system which allows voice access to operational and management information. Judkins merely shows that call center administrators existed at the time of filing of the instant application. However, there is no teaching or suggestion to provide a voice response server to provide voice response processing of operational information about management of the call center. Thus, neither reference teaches or suggests processing voice telephone requests from an administrator. Combining Partovi with Judkins without the use of hindsight would merely result in a conventional system in which customers can call in for general knowledge information, and in which administrators manage the system from a PC workstation. There is no suggestion in either reference to allow administrators to call in and use voice to request operational information or receive such information in voice form. Further, the addition of Judkins' ACD to Partovi would result in adding useless agents to a system which doesn't have a use for agents. This combination would merely provide Partovi's system with conventional administrators, while a customer can obtain general streamed information in Partovi's system, a customer can not obtain operational management information in either Partovi and Judkins. Further, those skilled in this art would not consider giving users of the streaming system of Partovi access to operational management information. Thus, Partovi combined with Judkins would not result in the claimed features without the extensive use of hindsight and would be contrary to the teachings of each reference. Thus, the combination of Partovi and Judkins does not teach all of the elements of the

independent claims 1, 12 and 16 and cannot properly be combined to obtain the claimed invention without the use of hindsight. Thus, the independent claims 1, 12, and 16 are allowable over the cited references, as are claims 2-11, 13-15, and 17-26 which are dependent upon allowable base claims 1, 12, and 16.

Claims 10, 12, and 20 call for learning a pattern of access commands and automatically providing operational information based on the pattern. The Office Action asserts this is disclosed in Partovi, Col. 5, lines 15-25, and Judkins, Col. 7, lines 35 to Col. 8, line 11. However, neither reference discloses the claimed learning a pattern of access commands, or providing information based on the pattern of access commands. Partovi in Col. 5 merely describes adapting to voice character not learning command patterns, and Judkins in Cols. 7-8 does not discuss learning command patterns. Thus, claims 10 and 20 are believed to be further distinguishable over the references for these reasons.

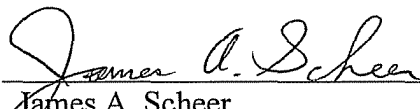
Claims 11, 14, and 23 recite that a barge in request (as described on page 12, lines 10-13), interrupts information presentations. The Office Action indicates that Partovi describes this feature at Col. 7, lines 25-30. However, this passage in Col. 7 merely describes the system recognizing that less verbose prompts are needed when the user provides commands before most prompts are finished. This describes the system recognizing a user providing inputs quickly and quickening the prompts in response, but does not describe the claimed barge-in request or an interruption of presentations. There is no barge-in request made or interruption (i.e., the prompts continue in less verbose form). Thus, these claims 11, 14, and 23 are believed to be further distinguishable over Partovi and Judkins.

For the foregoing reasons, applicant submits that the subject application is in condition for allowance and earnestly solicits an early Notice of Allowance. Should the Examiner be of the opinion that a telephone conference would expedite prosecution of the subject application, the Examiner is respectfully requested to call the undersigned at the below-listed number.

The Commissioner is hereby authorized to charge any additional fee which may be required for this application under 37 C.F.R. §§ 1.16-1.18, including but not limited to the RCE fee, the extension of time fee, the petition fee, the extra claims fee, the issue fee, or credit any overpayment, to Deposit Account No. 23-0920. Should no proper amount be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 23-0920. A duplicate copy of this sheet(s) is enclosed.

Respectfully submitted,

HUSCH BLACKWELL SANDERS  
WELSH & KATZ

By:   
James A. Scheer  
Registration No. 29,434

Dated: August 12, 2009

HUSCH BLACKWELL SANDERS  
WELSH & KATZ  
120 South Riverside Plaza, 22nd Floor  
Chicago, Illinois 60606  
(312) 655-1500